

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

JAN - 2 2013

**CLAIMANTS MARTIN M. SURABIAN, RICHARD SURABIAN AND STEVEN
SURABIAN'S MOTION TO SUBPOENA BERNARD L. MADOFF**

NOW COMES the Claimants Martin M. Surabian, Richard Surabian and Steven Surabian's Motion to Subpoena Bernard L. Madoff to attend and testify all hearings involving the Surabians and to testify to his knowledge the Surabians being customers of BLMIS. In support are the following:

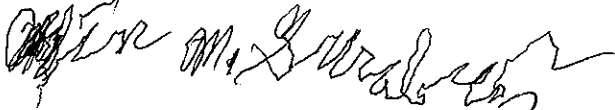
1. The Claimants, Martin M. Surabian, Richard Surabian and Steven Surabian (The Surabians) are proceeding Pro se.
2. Bernard L. Madoff personally met and excepted the Surabians as customers.
3. Bernard L. Madoff personally excepted the Surabians monies as customers.
4. The Trustee Irving H. Picard claims that the Surabians are not customers because he can not

find their names in the record of BLMIS.

5. Since the Trustee is relying on the records of BLMIS to pay those listed as customers in the record of BLMIS and amounts listed as deposited in those same records and since Bernard L. Madoff had access to and created those records, who better to testify as to the Surabian's being customers and how much was deposited and when by the Surabians.
6. In addition Bernard L. Madoff will testify as to the accuracy of the records at BLMIS.
7. The records at BLMIS are not only essential to the Surabians but to all alleged customers and deposits.

WHEREFORE, the claimants pray that for justice that this Motion is Allowed and this Court issue a Subpoena for Bernard L. Madoff to appear at said Court to testify as to his knowledge regarding the Surabians being customers and the amount of deposits they made to BLMIS and appear for all additional hearings involving the Surabians.

Signed under the pains and penalties of perjury.



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Date: December 27, 2012